

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

In re Thomas Warnicke (P47148)

Misc. No. 22-51135

_____/

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_____/

**Supplemental Brief in Support of Thomas R. Warnicke's
Application to Modify or Vacate Discipline**

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Dated: August 16, 2022

Supplemental Brief

Thomas Warnicke's Application to Modify or Vacate Discipline was filed on August 8, 2022 (ECF No. 6). At the time, Warnicke was negotiating a final settlement with the interested parties in the Western District of Michigan litigation (*See, e.g., discussion* at ECF No. 6, PageID.72). The settlement agreement has since been finalized and Warnicke's suspension from practicing law in the Western District of Michigan was lifted on August 12, 2022 and he was readmitted to the practice of law in that court forthwith. The Stipulated Order entered by Judge Neff readmitting Warnicke is attached for the Court's review (**Attachment A**).

RESPECTFULLY SUBMITTED,

Collins Einhorn Farrell PC

By: /s/ Donald D. Campbell
Donald D. Campbell (P43088)
Counsel for Thomas R. Warnicke

CERTIFICATE OF SERVICE

I hereby certify that on August 16, 2022, I electronically filed a Supplemental Brief in Support of Thomas R. Warnicke's Application to Modify or Vacate Discipline with the Clerk of the Court using the ECF system, and that a copy was electronically served on all counsel of record via the ECF system and to any counsel not registered to receive electronic copies from the court, by enclosing same in a sealed envelope with first class postage fully prepaid, addressed to the above, and depositing said envelope and its contents in a receptacle for the US Mail.

Collins Einhorn Farrell PC

By: /s/ Donald D. Campbell
Donald D. Campbell (P43088)
Counsel for Thomas R. Warnicke

Attachment A

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

CURTIS E. BLACKWELL, II,

Plaintiff,
v.

LOU ANNA K. SIMON, et al.,

Defendants.

Case No. 1:18-cv-1261
Hon. Janet T. Neff
Mag. Judge Sally J. Berens

**STIPULATION AND ORDER MODIFYING THIS COURT’S MAY 26, 2022
OPINION AND ORDER (ECF NO. 415)**

Attorney Thomas Warnicke and Defendants hereby agree to the entry of this Stipulation and Order Modifying This Court’s May 26, 2022 Opinion and Order (ECF No. 415) for the reasons set forth below:

On May 26, 2022, this Court entered an Opinion and Order granting Defendants’ Joint Motion for Entry of Judgment (ECF No. 415). As part of that Order, Attorneys Thomas Warnicke and Andrew Paterson were suspended from practicing law in the District Court for the Western District of Michigan for contempt arising from their non-payment of monetary sanctions and fines in this case.

On June 8, 2022, this Court entered a Money Judgment against Warnicke and Paterson (ECF No. 418), jointly and severally, in the total amount of \$117,210.

Warnicke thereafter met with and provided information to Defendants’ counsel concerning his ability to pay the Money Judgment. Warnicke and Defendants have reached an agreement as to a payment plan whereby Warnicke shall be deemed to have satisfied the Money Judgment

against only Warnicke upon him making all payments under the plan. Specifically, Warnicke and Defendants have agreed that Warnicke shall pay Defendants a total of amount of \$40,000, to be paid as follows: (1) an initial payment of \$25,000, which Warnicke tendered in good faith to Defendants' counsel on August 4, 2022; (2) an installment payment of \$5,000 on or before October 15, 2022; (3) an installment payment of \$5,000 on or before November 15, 2022; and (4) a final installment payment of \$5,000 on or before December 15, 2022.

In consideration of Warnicke's good faith payment of \$25,000 and to further assist Warnicke in making the three future installment payments, Warnicke respectfully requests, with Defendants' concurrence, that this Court deem Warnicke to have conditionally purged the order of contempt against him and that he be readmitted to practicing law in the District Court for the Western District of Michigan forthwith.

Upon receipt of the final installment payment from Warnicke on or before December 15, 2022, Defendants shall promptly file a full and final Satisfaction of Judgment with this Court as to Warnicke only, which shall unconditionally purge the order of contempt against him. In the event Warnicke does not make any of the three installment payments set forth above in a timely manner, Defendants' counsel will notify the Court and Warnicke: (1) shall remain jointly and severally liable for the full amount of \$117,210 set forth in the June 8, 2022 Money Judgment, less any payments made by Warnicke; (2) the order of contempt against him will not be unconditionally purged; and (3) his suspension from practicing law in this Court will be reinstated until the entire Money Judgment is satisfied

Accordingly,

1. **IT IS HEREBY ORDERED** that the agreement and payment plan set forth above between Warnicke and Defendants is incorporated into and made a part of this Order.

2. **IT IS FURTHER ORDERED** that Warnicke has conditionally purged the order of contempt issued against him.
3. **IT IS FURTHER ORDERED** that Warnicke's suspension from the District Court for the Western District of Michigan shall be and hereby is lifted.
4. **IT IS FURTHER ORDERED** that upon receipt of the final installment payment from Warnicke on or before December 15, 2022, Defendants shall promptly file a full and final Satisfaction of Judgment with this Court as to Warnicke only, which shall unconditionally purge the order of contempt against him.
5. **IT IS FURTHER ORDERED** that if Warnicke does not make any of the three installment payments set forth above in a timely manner, Defendants' counsel will notify the Court and Warnicke: (1) shall remain jointly and severally liable for the full amount of \$117,210 set forth in the June 8, 2022 Money Judgment, less any payments made by Warnicke; (2) the order of contempt against him will not be unconditionally purged; and (3) his suspension from practicing law in this Court will be reinstated until the entire Money Judgment is satisfied.
6. **IT IS FURTHER ORDERED** that the agreement set forth above between Warnicke and Defendants shall not affect any obligation that Attorney Andrew Paterson has under either the June 8, 2022 Money Judgment (ECF 418) or the May 26, 2022 Opinion and Order (ECF No. 415).

August 12, 2022

Date

/s/ Janet T. Neff

Hon. Janet T. Neff
United States District Judge

SO STIPULATED:

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